

House File 2396 - Introduced

HOUSE FILE 2396
BY TYMESON

A BILL FOR

1 An Act creating a mechanism for schools, school consortiums,
2 and school districts to increase opportunities for
3 innovation.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 256I.1 Title.

2 This chapter shall be known and may be cited as the
3 "*Innovation Schools and School Districts Act*".

4 Sec. 2. NEW SECTION. 256I.2 Findings — intent and
5 purposes.

6 1. *Findings.* The general assembly finds all of the
7 following:

8 a. The state's interests are best served by preserving local
9 flexibility and granting to the board of directors of each
10 school district the control of instruction in the schools they
11 administer.

12 b. Delivery of educational services must be tailored to
13 the specific population of students the services are intended
14 to serve, and the parents and guardians of those students
15 should have every opportunity to participate in determining the
16 educational services their children receive.

17 c. The principal and faculty employed at a public school
18 must be granted the maximum degree of flexibility possible to
19 determine the most effective and efficient manner in which to
20 meet students' needs.

21 d. Upon adopting rules and establishing procedures for
22 the implementation of this chapter, the state board and the
23 department may implement this chapter without additional state
24 funding.

25 2. *Intent.* It is the intent of the general assembly to do
26 the following:

27 a. Further the goals of high-quality public education
28 throughout the state by granting the boards of directors of
29 each school district the authority to grant public schools
30 within the school district the maximum degree of flexibility
31 possible to meet the needs of individual students and the
32 communities in which the students live.

33 b. Encourage the board of directors of each school district
34 to delegate to each public school a high degree of autonomy
35 in implementing curriculum, making personnel decisions,

1 organizing the school day, determining the most effective
2 use of resources, and generally organizing the delivery of
3 high-quality educational services, and empowering each public
4 school to tailor its services most effectively and efficiently
5 to meet the needs of the population of students it serves.

6 *c.* Appropriate to the department moneys sufficient to offset
7 the costs incurred by the department and the state board in
8 adopting rules and otherwise establishing the procedures for
9 implementation of this chapter.

10 3. *Purposes.* It is the intent of this chapter to achieve
11 the following purposes:

12 *a.* To grant the state's school districts and public schools
13 greater ability to meet the educational needs of a diverse and
14 constantly changing student population.

15 *b.* To encourage diverse approaches to learning and education
16 within individual schools and school districts.

17 *c.* To improve educational performance through greater
18 individual school autonomy and managerial flexibility.

19 *d.* To encourage school districts, where appropriate, to
20 create and manage a portfolio of schools that meet a variety
21 of education needs, including identifying elementary, middle
22 or junior high, and high schools to collectively operate as a
23 vertically integrated innovation zone of schools.

24 *e.* To encourage innovation in education by providing
25 local school communities and principals with greater control
26 over levels of staffing, personnel selection and evaluation,
27 scheduling, and educational programming with the goal of
28 realizing improved student achievement.

29 *f.* To encourage school districts and public schools to
30 find new ways to allocate resources, including but not limited
31 to the implementation of specialized school budgets, for the
32 benefit of the students the public schools serve.

33 *g.* To hold public schools that receive greater autonomy
34 under this chapter accountable for student academic achievement
35 in accordance with section 256.7, subsection 21, other more

1 specifically tailored accountability measures specified in the
2 innovation plan approved pursuant to section 256I.4, and the
3 requirements for adequate yearly progress specified under the
4 federal No Child Left Behind Act of 2001, Pub. L. No. 107-110,
5 and any applicable federal regulations adopted pursuant to the
6 federal Act.

7 Sec. 3. NEW SECTION. 256I.3 Definitions.

8 As used in this chapter, unless the context otherwise
9 requires:

- 10 1. "*Department*" means the department of education.
- 11 2. "*Director*" means the director of the department.
- 12 3. "*District of innovation*" means a school district that
13 is designated as a district of innovation pursuant to section
14 256I.7.
- 15 4. "*Innovation school*" means a public school implementing an
16 innovation plan pursuant to section 256I.4.
- 17 5. "*Innovation school zone*" means a group of public schools
18 within a school district for which a local school board
19 implements a plan for creating an innovation school zone
20 pursuant to section 256I.4.
- 21 6. "*Local school board*" means the board of directors of a
22 school district.
- 23 7. "*Public school*" means a school building administered by a
24 principal.
- 25 8. "*State board*" means the state board of education.

26 Sec. 4. NEW SECTION. 256I.4 Innovation plans — submission
27 — contents.

28 1. A public school within a school district may submit to
29 its local school board, or a local school board may develop
30 in collaboration with a public school, an innovation plan
31 as described in subsection 3. A group of public schools
32 within a school district that share common interests, such
33 as geographical location or educational focus, or that
34 sequentially serve classes of students as they progress through
35 elementary and secondary education may jointly submit to their

1 local school board a plan to create an innovation school zone
2 as described in subsection 4.

3 2. A local school board shall receive and review each
4 innovation plan or plan for creating an innovation school zone
5 submitted pursuant to subsection 1. The local school board
6 shall either approve or disapprove the innovation plan or plan
7 for creating an innovation school zone within sixty days after
8 receiving the plan.

9 3. If the local school board rejects the plan, the local
10 school board shall provide to the public school or group of
11 public schools that submitted the plan a written explanation of
12 the basis for its decision. A public school or group of public
13 schools may resubmit a revised innovation plan or revised plan
14 for creating an innovation school zone at any time after the
15 initial plan is rejected by the local school board.

16 4. If the local school board approves the plan, it may
17 proceed to seek designation of the school district as a
18 district of innovation pursuant to section 256I.7.

19 5. A local school board may initiate and collaborate with
20 one or more public schools of the school district to create one
21 or more innovation plans as described in subsection 6, or one
22 or more plans to create innovation school zones as described
23 in subsection 7. In creating an innovation plan or a plan
24 to create an innovation school zone, the local school board
25 shall ensure that each public school that would be affected
26 by the plan has the opportunity to participate in creation
27 of the plan. A local school board may approve or create a
28 plan to create an innovation school zone that includes all
29 of the public schools of the school district. If the local
30 school board creates an innovation plan or a plan for creating
31 an innovation school zone, the local school board may seek
32 designation of the school district as a district of innovation
33 pursuant to section 256I.7.

34 6. An innovation plan shall include the following
35 information:

- 1 *a.* A statement of the public school's mission and why
2 designation as an innovation school would enhance the public
3 school's ability to achieve its mission.
- 4 *b.* A description of the innovations the public school would
5 implement, including but not limited to the following:
- 6 (1) Innovations in school staffing.
 - 7 (2) Curriculum and assessment.
 - 8 (3) Class scheduling.
 - 9 (4) Use of financial and other resources.
 - 10 (5) Faculty recruitment, employment, evaluation, and
11 compensation.
- 12 *c.* A listing of the programs, policies, or operations within
13 the public school that would be affected by the identified
14 innovations and the manner in which the public school would be
15 affected. The programs, policies, or operations may include
16 but need not be limited to the following:
- 17 (1) The research-based educational program the public
18 school would implement.
 - 19 (2) The length of school day and school year at the public
20 school.
 - 21 (3) The student promotion and graduation policies to be
22 implemented at the public school.
 - 23 (4) The public school's academic achievement assessment
24 plan.
 - 25 (5) The proposed budget for the public school.
 - 26 (6) The proposed staffing plan for the public school.
- 27 *d.* An identification of the improvements in academic
28 performance that the public school expects to achieve in
29 implementing the innovations.
- 30 *e.* An estimate of the cost savings and increased
31 efficiencies, if any, the public school expects to achieve in
32 implementing its identified innovations.
- 33 *f.* Evidence that a majority of the administrators and a
34 majority of the teachers employed at the public school, and a
35 majority of the school district's school improvement advisory

1 committee consent to designation as an innovation school.

2 *g.* A statement of the level of support for designation as
3 an innovation school demonstrated by persons employed at the
4 public school other than those listed in paragraph "f", the
5 students and parents of students enrolled in the public school,
6 and the community surrounding the public school.

7 *h.* A description of any statutory provisions or
8 administrative rules or school district policy requirements
9 that would need to be waived pursuant to section 256I.8 for the
10 public school to implement its identified innovations.

11 *i.* A description of any provision of the collective
12 bargaining agreement in effect for the personnel at the public
13 school that would need to be waived in accordance with section
14 256I.9 for the public school to implement its identified
15 innovations.

16 *j.* Any additional information required by the local school
17 board of the school district in which the innovation plan would
18 be implemented.

19 7. Each plan for creating an innovation school zone,
20 whether submitted by a group of public schools or created by
21 a local school board through collaboration with a group of
22 public schools, shall include the information specified in
23 subsection 6 for each public school that would be included in
24 the innovation school zone. A plan for creating an innovation
25 school zone shall also include the following additional
26 information:

27 *a.* A description of how innovations in the public schools
28 in the school innovation zone would be integrated to achieve
29 results that would be less likely to be accomplished by each
30 public school working alone.

31 *b.* An estimate of any economies of scale that would be
32 achieved by innovations implemented jointly by the public
33 schools within the innovation school zone.

34 *c.* A statement of the level of support for creating an
35 innovation school zone demonstrated by persons, other than

1 those listed in subsection 6, paragraph "f", employed at each
2 public school that would be included in the zone, the students
3 and parents of students enrolled in each public school that
4 would be included in the zone, and the community in which
5 the local school board would approve the innovation school
6 zone. In determining the level of support, each public school
7 shall specifically solicit input concerning the selection of
8 public schools included in the innovation school zone and the
9 strategies and procedures that would be used in implementing
10 and integrating the innovations within the public schools in
11 the zone.

12 Sec. 5. NEW SECTION. 256I.5 Areas of innovation.

13 1. In considering or creating an innovation plan or a plan
14 for creating an innovation school zone, the local school board
15 may consider but is not limited to considering the following
16 areas of innovation:

17 a. Curriculum and academic standards and assessments.

18 b. Accountability measures, including but not limited to
19 expanding the use of a variety of accountability measures to
20 more accurately present a complete measure of student learning
21 and accomplishment. The accountability measures adopted by an
22 innovation school or an innovation school zone may include but
23 need not be limited to the following:

24 (1) Use of graduation or exit examinations.

25 (2) Use of end-of-course examinations.

26 (3) Use of student portfolio reviews.

27 (4) Use of national and international accountability
28 measures such as the national assessment of educational
29 progress and the program for international student assessment.

30 (5) Measuring the percentage of students continuing into
31 higher education.

32 (6) Measuring the percentage of students simultaneously
33 obtaining a high school diploma and an associate's degree or a
34 career and technical education certificate.

35 c. Provision of services, including but not limited to the

1 following:

2 (1) Special education services.

3 (2) Services for gifted and talented students.

4 (3) Services for limited English proficient students.

5 (4) Educational services for students at risk of academic
6 failure, expulsion, or dropping out.

7 (5) Support services provided by the department of human
8 services or local social services agencies.

9 *d.* Teacher recruitment, employment, training, preparation,
10 and professional development.

11 *e.* Performance expectations and evaluation procedures for
12 teachers and administrators.

13 *f.* Compensation for teachers, principals, and other school
14 building personnel, including but not limited to performance
15 pay plans, total compensation plans, and other innovations with
16 regard to retirement and other benefits.

17 *g.* School governance and the roles, responsibilities, and
18 expectations of administrators in innovation schools or schools
19 within an innovation school zone.

20 *h.* Preparation and counseling of students for transition to
21 higher education or the work force.

22 **Sec. 6. NEW SECTION. 256I.6 Innovation planning and
23 financial support.**

24 Each public school and each local school board is authorized
25 to seek and accept public and private gifts, grants, and
26 donations to offset the costs of developing and implementing
27 innovation plans and plans for creating innovation school
28 zones.

29 **Sec. 7. NEW SECTION. 256I.7 Innovation district designation
30 by state board.**

31 1. Each local school board may seek for its school district
32 designation by the state board as a district of innovation. A
33 local school board may seek the designation on the basis of
34 one or more innovation plans or plans for creating innovation
35 school zones approved or collaboratively created by the local

1 school board pursuant to section 256I.4.

2 2. A local school board that seeks designation as a district
3 of innovation shall submit one or more innovation plans or
4 plans for creating an innovation school zone to the director
5 for review and comment by the director and the state board.
6 Within sixty days after receiving a local school board's plan,
7 the director and the state board shall respond to the local
8 school board with any suggested changes or additions to the
9 plan, including but not limited to suggestions for further
10 innovations or for measures to increase the likelihood that the
11 innovations will result in greater academic achievement within
12 the innovation schools or innovation school zones. Based on
13 the director's and the state board's comments, the local school
14 board may choose to withdraw and resubmit its innovation plan
15 or plan for creating an innovation school zone.

16 3. Within sixty days after receiving a local school board's
17 innovation plan or plan for creating an innovation school
18 zone, the state board shall designate the local school board's
19 school district as a district of innovation unless the state
20 board determines that the submitted plan meets either of the
21 following criteria:

22 a. The plan is likely to result in a decrease in academic
23 achievement in the innovation schools or innovation school
24 zones.

25 b. The plan is not fiscally feasible.

26 4. If the state board does not designate a school district
27 as a district of innovation, it shall provide to the local
28 school board a written explanation of the basis for its
29 decision. The local school board may resubmit a revised
30 innovation plan or plan for creating an innovation school
31 zone and seek designation of its school district as a school
32 district of innovation at any time after denial.

33 **Sec. 8. NEW SECTION. 256I.8 Waiver of statutory and**
34 **regulatory requirements for districts of innovation.**

35 1. Upon designation of a district of innovation, the state

1 board shall waive any statutes or administrative rules adopted
2 by the state board and specified in the school district's
3 innovation plan as the statutes or administrative rules pertain
4 to the innovation schools or innovation school zones of the
5 district of innovation, except that the state board shall not
6 waive the following:

7 *a.* Member benefits under chapter 97B or 294.

8 *b.* Administrative rules adopted to implement chapter 285.

9 *c.* The reporting requirements of section 256.7, subsection
10 21.

11 *d.* The core curriculum and core content standards
12 established pursuant to rules adopted under section 256.7,
13 subsections 26 and 28.

14 *e.* The federal No Child Left Behind Act of 2001, Pub. L. No.
15 107-110.

16 2. Each district of innovation shall continue to be subject
17 to all statutes and administrative rules that are not waived by
18 the state board pursuant to subsection 1.

19 3. Designation as a district of innovation shall not affect
20 a school district's total state school foundation program
21 funding or eligibility for funding.

22 4. Each district of innovation that receives a waiver
23 pursuant to this section shall specify the manner in which
24 the innovation school or the schools within the innovation
25 school zone shall comply with the intent of the waived statutes
26 or rules and shall be accountable to the state for such
27 compliance.

28 5. If the local school board for a district of innovation
29 revises an innovation plan as provided in section 256I.10,
30 the local school board may request, and the state board shall
31 grant, except as provided in subsection 2, additional waivers
32 or changes to existing waivers as necessary to accommodate the
33 revisions to the innovation plan.

34 6. In requesting a new waiver or a change to an existing
35 waiver, the local school board shall demonstrate to the state

1 board the consent of a majority of the teachers and a majority
2 of the administrators employed at each public school that is
3 affected by the new or changed waiver, and a majority of the
4 school district's school improvement advisory committee.

5 7. Except as otherwise provided in subsection 5, a waiver
6 that is granted pursuant to this section shall continue to
7 apply to a public school so long as the public school continues
8 to be designated as an innovation school or included in an
9 innovation school zone.

10 Sec. 9. NEW SECTION. 256I.9 District of innovation —
11 collective bargaining.

12 1. On and after the date on which the state board designates
13 a school district as a district of innovation, any collective
14 bargaining agreement initially entered into or renewed by
15 the local school board of the district of innovation shall
16 include a term that allows each innovation school and each
17 innovation school zone in the school district to waive any
18 provisions of the collective bargaining agreement identified
19 in the innovation plan as needing to be waived for the
20 innovation school or the innovation school zone to implement
21 its identified innovations.

22 2. For an innovation school, waiver of one or more of
23 the provisions of the collective bargaining agreement shall
24 be based on obtaining the approval, by means of a secret
25 ballot vote, of at least sixty percent of the members of the
26 collective bargaining unit who are employed at the innovation
27 school.

28 3. For an innovation school, waiver of one or more of the
29 provisions of the collective bargaining agreement shall be
30 based on obtaining, at each school included in the innovation
31 school zone, the approval of at least sixty percent of the
32 members of the collective bargaining unit who are employed at
33 the school. The innovation school zone shall seek to obtain
34 approval of the waivers through a secret ballot vote of the
35 members of the collective bargaining unit at each school

1 included in the innovation school zone. The local school board
2 for the innovation school zone may choose to revise the plan
3 for creating an innovation school zone to remove from the zone
4 any school in which at least sixty percent of the members of
5 the collective bargaining unit employed at the school do not
6 vote to waive the identified provisions of the collective
7 bargaining agreement.

8 4. If a local school board, in collaboration with the
9 innovation school or the public schools included in the
10 innovation school zone, revises the innovation plan as provided
11 in section 256I.10 and the revisions include changes to the
12 identified provisions of the collective bargaining agreement
13 that need to be waived to implement the innovations that are
14 included in the innovation plan, the local school board shall
15 seek such additional waivers or revision or revocation of the
16 existing waivers of provisions of the collective bargaining
17 agreement as are necessary to implement the revised innovation
18 plan. Any changes to waivers, or additional waivers, of the
19 identified provisions of the collective bargaining agreement
20 shall be subject to approval in the same manner as provided
21 in subsections 2 and 3 for the initial approval of waivers of
22 provisions of the collective bargaining agreement.

23 5. Except as otherwise provided in subsection 4, waiver of
24 identified provisions of a collective bargaining agreement for
25 an innovation school or the public schools within an innovation
26 school zone pursuant to this section shall continue so long as
27 the innovation school remains an innovation school or public
28 school remains a part of the innovation school zone. A waiver
29 approved pursuant to this section shall continue to apply to
30 any substantially similar provision that is included in a new
31 or renewed collective bargaining agreement for the schools of
32 the district of innovation.

33 6. A district of innovation shall not be required to seek
34 a waiver by an innovation school or a public school in an
35 innovation school zone of any provision of the collective

1 bargaining agreement. Each district of innovation shall
2 include in its innovation plan a statement as to whether it
3 will seek a waiver by an innovation school or the public
4 schools included in an innovation school zone of any of the
5 provisions of the collective bargaining agreement.

6 7. A person who is a member of the collective bargaining
7 unit and is employed by an innovation school or by a school
8 included in an innovation school zone may request a transfer to
9 another public school of the district of innovation. The local
10 school board shall make every reasonable effort to accommodate
11 the person's request.

12 Sec. 10. NEW SECTION. 256I.10 Review of innovation schools
13 and innovation school zones.

14 1. Three years after the local school board of a district of
15 innovation approves an innovation plan or a plan for creating
16 an innovation school zone, and every three years thereafter,
17 the local school board shall review the level of performance of
18 the innovation school and each public school included in the
19 innovation school zone and determine whether the innovation
20 school or innovation school zone is achieving or making
21 adequate progress toward achieving the academic performance
22 results identified in the school's or zone's innovation plan.
23 The local school board, in collaboration with the innovation
24 school or the innovation school zone, may revise the innovation
25 plan, including but not limited to revising the identification
26 of the provisions of the collective bargaining agreement that
27 need to be waived to implement the innovations, as necessary
28 to improve or continue to improve academic performance at the
29 innovation school or innovation school zone. Any revisions to
30 the innovation plan shall require the consent of a majority
31 of the teachers and a majority of the administrators employed
32 at each affected public school and a majority of the school
33 advisory council for each affected public school.

34 2. Following review of an innovation school's performance,
35 if a local school board finds that the academic performance of

1 students enrolled in the innovation school is not improving
2 at a sufficient rate, the local school board may revoke the
3 school's innovation status.

4 3. Following review of the performance of an innovation
5 school zone, if a local school board finds that the academic
6 performance of students enrolled in one or more of the public
7 schools included in the innovation school zone is not improving
8 at a sufficient rate, the local school board may remove the
9 underperforming public school or schools from the innovation
10 school zone or may revoke the designation of the innovation
11 school zone.

12 Sec. 11. NEW SECTION. 256I.11 Reporting.

13 1. The department and the state board shall monitor and
14 review the districts of innovation and on or before March 1,
15 2011, and on or before March 1 each year thereafter, shall
16 submit a report to the governor and to the general assembly
17 regarding the performance of the districts of innovation. At a
18 minimum, the annual report shall include all of the following:

19 a. The number of school districts designated as districts of
20 innovation in the preceding academic year and the total number
21 of districts of innovation in the state.

22 b. The number of innovation schools and the number of
23 innovation school zones, including the number of schools in the
24 zone, in each district of innovation and the number of students
25 served in the innovation schools and innovation school zones,
26 expressed as a total number and as a percentage of the students
27 enrolled in the district of innovation.

28 c. An overview of the innovations implemented in the
29 innovation schools and the innovation school zones in the
30 districts of innovation.

31 d. An overview of the academic performance of the students
32 served in innovation schools and innovation school zones in
33 each district of innovation, including a comparison between the
34 students' academic performance before and since implementation
35 of the innovations.

1 e. Any recommendations for legislative changes based on the
2 innovations implemented or to further enhance the ability of
3 local school boards to implement innovations.

4 f. Any additional information requested by the governor or a
5 member of the general assembly.

6 2. The director shall promptly post the annual report
7 submitted pursuant to this section on the department's internet
8 site.

9

EXPLANATION

10 This bill creates a mechanism for a public school, a group
11 of public schools, or a school district to adopt an innovation
12 plan or a plan for creating an innovation school zone and
13 to submit those plans to the director of the department
14 of education and the state board of education for review.
15 Unless a plan is likely to result in a decrease in academic
16 achievement or is not fiscally feasible, the state board must
17 designate the school district as a district of innovation and
18 waive any statutes or rules specified in the innovation plan
19 except those relating to school transportation, pension and
20 annuity retirement benefits for teachers, core curriculum and
21 core content standards, and the federal No Child Left Behind
22 Act of 2001.

23 PURPOSES. The bill establishes Code chapter 256I, to
24 be known and cited as the "Innovation Schools and School
25 Districts Act". The Code chapter includes the general
26 assembly's findings, intent, and purposes. The purposes
27 include encouraging intentionally diverse approaches to
28 learning and education within individual school districts;
29 improving educational performance through greater individual
30 school autonomy and managerial flexibility; encouraging school
31 districts to create and manage a portfolio of schools to
32 collectively operate as a vertically integrated innovation zone
33 of schools; encouraging innovation in education by providing
34 school communities and principals with greater control over
35 levels of staffing, personnel selection and evaluation,

1 scheduling, and educational programming with the goal of
2 achieving improved student achievement; and encouraging school
3 districts and schools to find new ways to allocate resources.

4 PLAN SUBMISSION AND PARTICIPATION. A public school within
5 a school district may submit to its school board, or a school
6 board may create in collaboration with a public school, an
7 innovation plan. A group of public schools within a school
8 district may jointly submit to their school board a plan to
9 create an innovation school zone.

10 If a school board creates a plan, it must ensure that each
11 school affected by the plan has the opportunity to participate
12 in creation of the plan. A school board may approve or create
13 a plan to create an innovation school zone that includes all of
14 the public schools of the school district.

15 PLAN APPROVAL PROCESS. The school board has 60 days to
16 review a plan submitted by a school or group of schools. If
17 it rejects a plan, it must provide to the school or group of
18 schools a written explanation of the basis for its decision,
19 and the school or group of schools may resubmit a revised plan
20 at any time after denial. If the school board approves a plan,
21 it may proceed to seek designation of the school district as a
22 district of innovation from the state board by submitting the
23 plan to the director for review and comment by the director and
24 the state board. Within 60 days, the director and state board
25 must respond to the school board with any suggested changes or
26 additions to the plan. Based on these comments, the school
27 board may choose to withdraw and resubmit a revised plan.

28 PLAN COMPONENTS. The bill includes a list of the components
29 each plan must contain, including a mission statement; a
30 description of the innovations the school would implement; a
31 listing of the programs, policies, or operational documents
32 within the school that would be affected by the identified
33 innovation and the manner in which the school would be
34 affected, such as the length of the school day and year,
35 the budget, and the staffing plan; an identification of

1 the improvements in academic performance that the school
2 expects to achieve; an estimate of cost savings and increased
3 efficiencies, if any, the school expects to achieve; evidence
4 that a majority of the administrators, teachers, and the
5 district's school improvement advisory committee consent to
6 designation as an innovation school; a statement of support
7 demonstrated by the other persons employed at the school, the
8 students and parents of students enrolled in the school, and
9 the community surrounding the school; a description of any
10 statutory provisions or administrative rules that would need to
11 be waived; and a description of any provision of the collective
12 bargaining agreement in effect for the personnel at the school
13 that would need to be waived.

14 A plan for creating an innovation school zone must include
15 the same components as that provided for an innovation
16 plan, and in addition must include a description of how the
17 innovations would achieve results that a school working alone
18 would be less likely to accomplish.

19 COLLECTIVE BARGAINING. On and after the date on which
20 the state board designates a school district as a district
21 of innovation, any collective bargaining agreement initially
22 entered into or renewed by the school board of the district
23 of innovation must include a term that allows each innovation
24 school and each innovation school zone in the school district
25 to waive any provisions of the collective bargaining agreement
26 identified in the plan as needing to be waived.

27 Waiver of one or more of the provisions of the collective
28 bargaining agreement must be based on obtaining the approval,
29 by means of a secret ballot vote, of at least 60 percent of
30 the members of the collective bargaining unit who are employed
31 at the affected school or at each affected school in the
32 innovation school zone. The school board may choose to revise
33 the plan to remove from the zone any school in which at least
34 60 percent of the members of the collective bargaining unit
35 employed at the school do not vote to waive the identified

1 provisions of the collective bargaining agreement.

2 A district of innovation shall not be required to seek a
3 waiver of any provision of the collective bargaining agreement.
4 Each district of innovation must include in its plan a
5 statement as to whether it will seek a waiver of any of the
6 provisions of the collective bargaining agreement.

7 A member of the collective bargaining unit who is employed by
8 an innovation school may request a transfer to another school
9 of the district of innovation and the school board shall make
10 every reasonable effort to accommodate the person's request.

11 POTENTIAL AREAS OF INNOVATION. The bill includes a list of
12 potential areas of innovation that schools and school districts
13 may consider.

14 FUNDING. A school district's funding or eligibility for
15 funding is unaffected by being designated as a district of
16 innovation. Schools and school districts are authorized to
17 seek and accept public and private gifts, grants, and donations
18 to offset the costs of developing and implementing the plans.

19 COMPLIANCE WITH STATUTORY AND REGULATORY INTENT. Each
20 district of innovation that receives a waiver must specify the
21 manner in which the innovation school or the schools within
22 the innovation school zone shall comply with the intent of the
23 waived statutes or rules and shall be accountable to the state
24 for such compliance.

25 PERIODIC SCHOOL BOARD REVIEW, REVISION, AND REVOCATION.
26 Three years after a plan is approved and every three years
27 thereafter the school board must review the level of
28 performance of each innovation school and determine whether
29 each is achieving or making adequate progress toward achieving
30 the academic performance results identified in the plan.
31 If a school board finds that the academic performance of
32 students enrolled in an innovation school is not improving at
33 a sufficient rate, the school board may revoke the school's
34 innovation status. The school board, in collaboration with
35 the affected school, may also revise the plan as necessary to

1 improve or continue to improve academic performance at the
2 school. Any revisions to the plan require implementation of
3 the same consent process as was required to implement the
4 original plan.

5 REPORT. The department and the state board are directed to
6 monitor and review the districts of innovation and on or before
7 March 1, 2011, and on or before March 1 each year thereafter,
8 to submit a report to the governor and to the general assembly
9 regarding the performance of the districts of innovation. The
10 report must also be posted on the department's internet site.